

SUMMARY OF PROPOSED FLOOR DRAFT:

**BILL 44 (2020), CD2 -
RELATING TO HANAUMA BAY NATURE PRESERVE.**

PROPOSED FD1 makes the following amendments to the PROPOSED CD2:

- A. In SECTION 2, amends ROH Section 10-2.11(a) by deleting the designation for subdivision (4) and incorporating the definitions formerly set forth in subdivision (4) in subdivision (3).
- B. In SECTION 2, amends ROH Section 10-2.11(c) by changing the reference to subdivisions (a)(1) and (2) to a reference to subsection (a).
- C. Makes miscellaneous technical and nonsubstantive amendments.



A BILL FOR AN ORDINANCE

RELATING TO HANAUMA BAY NATURE PRESERVE.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to increase the entrance fee for nonresidents and vehicle parking fee and to establish an entrance fee for licensed motor carriers entering the Hanauma Bay Nature Preserve.

SECTION 2. Section 10-2.11, Revised Ordinance of Honolulu 1990, is amended to read as follows:

"Sec. 10-2.11 Fees for Hanauma Bay Nature Preserve.

- (a) The following fees [~~shall be assessed~~] apply for entrance to the Hanauma Bay Nature Preserve:
- (1) For nonresidents of Hawaii, 13 years of age and older, to enter the lower preserve (beyond the scenic lookout): [~~\$7.50~~] \$10.00 per person.
 - (2) For vehicles entering the preserve, [~~a \$1.00~~] the following parking [fee shall be assessed;] fees apply:
 - (A) For vehicles operated by residents of Hawaii: \$1.00; and
 - (B) For vehicles operated by nonresidents of Hawaii: \$3.00;

provided that [~~this parking fee shall~~] the parking fees specified in this subdivision must be refunded for all vehicles departing from the preserve within 15 minutes of their entry.
 - (3) For licensed motor carriers entering the preserve, the following fees apply:
 - (A) For motor vehicles that can accommodate 1 to 7 passengers: \$10.00;
 - (B) For motor vehicles that can accommodate 8 to 25 passengers: \$20.00; and
 - (C) For motor vehicles that can accommodate 26 or more passengers: \$40.00;



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provided that the fees specified in this subdivision do not apply to a taxicab unless the vehicle may also be operated as a licensed motor carrier.

For purposes of this subdivision:

"Common carrier by motor vehicle" means the same as defined in HRS Section 271-4, as may be amended or superseded.

"Contract carrier by motor vehicle" means the same as defined in HRS Section 271-4, as may be amended or superseded.

"Licensed motor carrier" means a motor carrier with a current certificate of public convenience and necessity or permit issued by the public utilities commission authorizing the transportation of persons.

"Motor carrier" includes both a common carrier by motor vehicle and a contract carrier by motor vehicle.

"Motor vehicle" means the same as defined in HRS Section 271-4, as may be amended or superseded.

"Taxicab" means the same as defined in Section 12-1.1(b).

- (b) The director of parks and recreation [~~is authorized to~~] may waive the fees [~~provided by this section~~] in subsection (a) and [~~to~~] allow entry of any person to the Hanauma Bay Nature Preserve as part of an educational or promotional program or package made available or authorized by the city.
- (c) Customers of a commercial scuba diving and snorkeling permittee and the permittee shall pay the [~~applicable~~] fees [~~established~~] in [~~subdivisions (a)(1) and (a)(2)~~]. subsection (a), if applicable.
- (d) Hawaiians entering the Hanauma Bay Nature Preserve to exercise their traditional and customary rights for subsistence, cultural, and religious purposes shall be exempt from paying the fees [~~established~~] in [~~subdivisions~~] subsection (a)(1) [and/or (a)(2) as the case may be;] and (2); provided that nothing in this subsection shall be construed as allowing activities [~~which~~] that may be otherwise prohibited by the [~~Hawaii Revised Statutes~~] state law or the administrative rules of the department of land and natural resources. For purposes of this section, "Hawaiian" means the same as defined in HRS Section 11-1."



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

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SECTION 3. Ordinance material to be repealed is bracketed and stricken. New ordinance material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the Revisor of Ordinances need not include the brackets, the material that has been bracketed and stricken, or the underscoring.

SECTION 4. This ordinance takes effect upon its approval.

INTRODUCED BY:

Ikaika Anderson (br)

DATE OF INTRODUCTION:

May 13, 2020
Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20 _____.

KIRK CALDWELL, Mayor
City and County of Honolulu